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DAC #

Attorney's Docket No. 3866.P008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:)
Ali Kutay, et al.) Examiner: Not yet assigned
Application No.: 10/082,427) Art Unit: 2641
Filed: February 22, 2002)
For: SYSTEM AND METHOD TO FACILITATE)
ANALYSIS AND REMOVAL OF ERRORS)
FROM AN APPLICATION)
RE
SER
OFFICE

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Commissioner for Patents
Box: Missing Parts
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)**

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed March 27, 2002, please find enclosed:

- (1) Copies of the Petition Under 37 C.F.R. § 1.47 and accompanying documents as filed with the USPTO on August 27, 2002;
- (2) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (3) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

on August 27, 2002 Date of Deposit
Patricia M. Richard
Name of Person Mailing Correspondence
Patricia M. Richard Date
Signature August 27, 2002

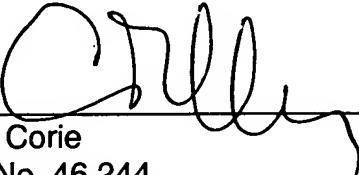
- (4) a copy of the Notice to File Missing Parts of Application;
- (5) a request for Extension of Time pursuant to 37 C.F.R. § 1.136(a);
and
- (6) a check in the amount of \$920.00 in payment of the surcharge of
37 C.F.R. § 1.17(a).

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully Submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 27, 2002


Florin Corie
Reg. No. 46,244

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/082,427	02/22/2002	Ali Kutay	3866P008

CONFIRMATION NO. 3769

08791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025



OC000000007731647

Date Mailed: 03/27/2002



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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A copy of this notice MUST be returned with the reply.

C. Voiachark

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/11/2002 AWONDAF1 00000143 10082427

01 FC:105

130.00 DP



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Serial/Patent No: 10/082,427 Filing/Issue Date: 2/22/2002
Client: AltoWeb, Inc.

Title: SYSTEM AND METHOD TO FACILITATE ANALYSIS AND REMOVAL OF ERRORS
FROM AN APPLICATION

BSTZ File No.: 3866, P008 Atty/Secty Initials: ALM/FAC/pmar

Date Mailed: August 27, 2002 Docket Due Date: _____

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Amendment/Response (____ pgs.) Express Mail No.: _____ Check No. 1310
 Appeal Brief (____ pgs.) (in triplicate) _____ Month(s) Extension of Time Amt: \$130.00
 Application - Utility (____ pgs. with cover and abstract) Information Disclosure Statement & PTO-1449 (____ pgs.) Check No. _____
 Application - Rule 1.53(b) Continuation (____ pgs.) Issue Fee Transmittal Amt: _____
 Application - Rule 1.53(b) Divisional (____ pgs.) Notice of Appeal _____
 Application - Rule 1.53(b) CIP (____ pgs.) Petition for Extension of Time _____
 Application - Rule 1.53(d) CPA Transmittal (____ pgs.) Petition for _____
 Application - Design (____ pgs.) Postcard _____
 Application - PCT (____ pgs.) Power of Attorney (____ pgs.)
 Application - Provisional (____ pgs.) Preliminary Amendment (____ pgs.)
 Assignment and Cover Sheet Reply Brief (____ pgs.)
 Certificate of Mailing Response to Notice of Missing Parts _____
 Declaration & POA (____ pgs.) Small Entity Declaration for Design, Non-Standard Business
 Declaration Doc & Orig & Copy of Inventor's Signed Letter (____ pgs.) Transmittal Letter, in duplicate _____
 Drawings; _____ # of sheets includes _____ figures Fee Transmittal, in duplicate _____

other: Partition Under 37 C.F.R. §1.47 (2 pgs.), Declaration of Megan
Straifel (2 pgs.), copies of pertinent information as described in
1.47

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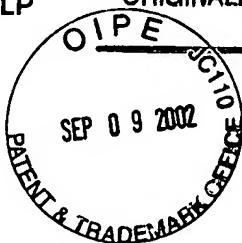
BLAKELY, SOKOLOFF, TAYLOR & AFMAN, LLP
A PARTNERSHIP INCLUDING LAW CORPORATION
60 SOUTH MARKET STREET, SUITE 510
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1210(8)

August 27, 2002

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130.00

TO
THE
ORDER
OF

Director of the United States
Patent & Trademark Office
Washington, DC 20231-0001

MP

AUTHORIZED SIGNATURE

001310 112100024804496878455

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, BLEED THRU NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

Invoice: 08/27/2002 Amount: 130.00
202366.P008 AltoWeb, Inc. FAC/pmr

U.S. Patent & Trademark Office

Title: SYSTEM AND METHOD TO FACILITATE ANALYSIS AND REMOVAL OF ERRORS FROM AN APPLICATION

Inventors: Ali Kutay, et al.

Application No.: 10/082,427

Filed: 2/21/2002

Petition Under 37 CFR 1.47

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Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information, which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.